



LOS ANGELES REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM AUTHORITY

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EXECUTIVE DIRECTOR

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Mr. David Furth
Deputy Chief
Public Safety & Homeland Security Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

REQUEST FOR IMMEDIATE ACTION ON REQUEST FOR WAIVER OF SECTION 90.531(B)(2), *PUBLIC NOTICE*, DA 13-39 (JAN. 11, 2013)

Dear Mr. Furth:

Over eighteen months ago, on December 7, 2012, the Los Angeles Regional Interoperable Communications System Joint Powers Authority ("LA-RICS") submitted the above-referenced Request for Waiver of Section 90.531(b)(2) of the Commission's rules to allow it to operate portions of its new radio system in the 700 MHz "reserve" spectrum. The purpose of this letter is to request immediate action on the pending Request for Waiver. We understand that the issues in our Request for Waiver are also addressed in the Commission's long-pending proceeding concerning the 700 MHz narrowband public safety channels (PS Docket No. 13-87). However, for the reasons discussed below, LA-RICS can no longer wait for a decision in that rulemaking proceeding.

LA-RICS will provide enhanced interoperability for public safety agencies serving the over 10 million residents of the Los Angeles metropolitan area. We are well along in the procurement and design stages of the new system. The detailed design is scheduled to be completed by September 2014. Indeed, we have reached a critical juncture in system design and engineering at which we must know all of the specific frequencies that will be available for deployment. Absent an immediate ruling from the Commission, LA-RICS will be forced to proceed with a system design that includes only currently allotted channels. While a subsequent grant of the LA-RICS request (or a rule modification) would obviously be welcome, it would create substantial delays and incur significant additional design costs for LA-RICS.

The frequency problem facing LA-RICS is not of its own making. Rather, it is a consequence of legislation that will force public safety agencies in the Los Angeles area to relinquish their use of the 470-512 MHz band. LA-RICS has responded with a hybrid system that includes a gradual migration to 700 MHz. However, that plan is heavily dependent upon LA-RICS being able to utilize the 700 MHz reserve channels.

As previously stated, LA-RICS is prepared to accept a waiver of Section 90.531(b)(2) that is contingent upon the outcome of PS Docket No. 13-87. We urge the Commission to proceed immediately to grant the requested waiver so LA-RICS can avoid unnecessary delays and expense.

Sincerely,

PATRICK J. MALLON
LA-RICS EXECUTIVE DIRECTOR